

MAR 08 2006

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

UCHECHI LOUD,

Defendant - Appellant.

No. 04-30381

D.C. No. CR-04-00017-DWM

District of Montana,

Missoula

ORDER

Before: GOODWIN, W. FLETCHER, and FISHER, Circuit Judges.

The memorandum disposition filed on December 12, 2005 is amended as follows. The third paragraph (which begins “Because appellant was sentenced...”) and fourth paragraph (“REMANDED.”) are stricken and replaced with “Loud’s remaining contentions lack merit. The district court’s judgment is AFFIRMED.”

With this amendment, the panel has voted to deny the petition for panel rehearing.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. *See* Fed. R. App. P. 35.

The petition for panel rehearing and the petition for rehearing en banc are denied.

No further filings will be accepted in this closed appeal.

The court notes that on January 9, 2006, the United States District Court for the District of Montana filed an order transferring this case to the United States District Court for the District of Western Washington. Accordingly, the clerk shall serve a copy of this order on both the United States District Court for the District of Montana, docket number CR-04-17-M-DWM-01, and the United States District Court for the District of Western Washington, docket number CR-06-5002-RBI.